



UST and SAF Bulletin

Arizona Department of Environmental Quality

Subject: Federal Energy Bill - Arizona Implementation Plan Underground Storage Tank Compliance Act

Effective: August 8, 2005

Item: 06-02

TYPE

Legislation

BACKGROUND

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Contained within the Energy Policy Act is the Underground Storage Tank Compliance Act that focuses on preventing UST releases. This new law affects not only U.S. EPA's and ADEQ's UST programs, it also impacts all UST owners and operators.

The Act includes provisions regarding UST inspections, operator training, delivery prohibition, secondary containment and financial responsibility, and cleanup of leaks that contain oxygenated fuel additives, such as MTBE.

CONTENT

Arizona's plan for implementation of UST provisions, as mandated in the Federal Energy Policy Act of 2005.

See attached Summary

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FEDERAL ENERGY BILL - ARIZONA IMPLEMENTATION PLAN UNDERGROUND STORAGE TANK COMPLIANCE ACT

[Enactment Date: August 8, 2005]

ACTION REQUIRED	ACTION DATE
1) <u>Delivery Prohibition</u> : Fuel delivery is prohibited to any UST without basic release detection, corrosion protection, spill prevention, or overfill protection equipment. UST owners, operators and product deliverers are responsible for ensuring compliance of the prohibition at a "red-tagged" UST.	August 8, 2007
2) <u>Public Record</u> : Maintain and update annually a record of regulated USTs (releases, sources, causes; compliance record; number of equipment failures).	Begin 1-year recording period on October 1, 2007; publish first record in December 2008
3) <u>Groundwater Protection (Either A or B)</u> A) New or replaced USTs or piping must have secondary containment and interstitial monitoring if located within 1,000 feet of an existing water supply system or potable drinking water well. New fuel dispensers must have under-dispenser containment if located similarly... OR ... B) UST system manufacturers and installers need financial responsibility to pay for corrective action costs; installers must be certified by the state; installations must be inspected and approved by the state.	February 8, 2007
4) <u>Compliance Report</u> : Submit report to U.S. EPA on compliance of federal, state, and local government-owned tanks (ID those not in compliance; date of last inspection; compliance measures)	August 8, 2007
5) <u>Inspections</u> : Inspect all existing USTs not inspected since December 22, 1998.	August 8, 2007
6) <u>Inspections</u> : Inspect all USTs at least once every three (3) years.	Complete first 3-year inspection cycle not later than August 8, 2010
7) <u>UST Operator Training</u> : Develop Arizona-specific training requirements within 2 years after U.S. EPA publishes guidelines (EPA deadline for guidance = August 8, 2007)	TBD
8) <u>Alternatives to Inspection Program</u> : U.S. EPA to study and report to Congress by action date.	August 8, 2009
9) <u>MtBE Remediation</u> : Oversee cleanup of oxygenate-containing fuel releases	After award of annual EPA/ADEQ cooperative agreements
10) <u>Outreach/Education</u> : Develop and implement prior to action dates	TBD